

Nevada Department of Agriculture
Division of Measurement Standards
350 Capitol Hill Avenue
Reno, NV 89502

NOTICE OF INTENT TO ADOPT REGULATIONS

Proposed amendments to NAC 581 and NAC 582 pertaining to the general provisions of weights and measures and to public weighmasters.

Need and purpose of the proposed amendments:

The needs of the amendments are to make the NAC compatible to the newly revised NRS 581 and 582. The amendments will adopt measurement standards recommended by the National Institute of Standards and Technology, provide for the licensure of commercial devices and public weighmasters; provide for the establishment of certain fees; establish civil penalties for certain violations.

Economic effect of these proposed amendments on the businesses that it is to regulate:

None, test fee is replaced with license fee

Economic effects of the proposed amendments on the public:

None

Economic cost to the agency for enforcement of the proposed amendments:

None

Description of any regulations of any other state, local, or federal regulation that the proposed amendments overlap or duplicate:

None

Fees:

Remain the same

The date, time, place and manner in which interested parties may present their views on the proposed amendments:

DATE: November 14, 2003

TIME: 1:00 P.M.

PLACE: Nevada Department of Agriculture
Division of Measurement Standards
2300 McLeod
Las Vegas, NV 89104

MANNER: Written comments and testimony may be submitted prior to the hearing date and will be included with any testimony presented at the hearing. All verbal and written testimony will be in the record of the hearing.

Addresses at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, all Nevada county libraries. The Department of Agriculture, Division of Measurement Standards offices in Reno, Sparks, Elko, Winnemucca, and Las Vegas during the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

Nevada Department of Agriculture Division of Measurement Standards 2150 Frazer Ave Sparks, NV 89431	Nevada Department of Agriculture 350 Capitol Hill Ave Reno, NV 89502
Nevada Department of Agriculture Division of Measurement Standards 1351 Elm St Elko, NV 89801	Nevada Department of Agriculture 1550 S. Wells Ave Reno, NV 89502
Nevada Department of Agriculture Division of Measurement Standards 2300 McLeod Las Vegas, NV 89104	Nevada Department of Agriculture 1200 E. Winnemucca Blvd Winnemucca, NV 89445

Note: We will make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements are necessary, call Steven Grabski at the Division of Measurement Standards (775) 688-1166 as soon as possible.

NRS 233B.064 Permanent regulations not to be adopted or revised by the Legislative Council; agency's reasons for adoption.

Upon adoption of any regulations, the agency, if requested to do so by an interested person before adoption, or within 30 days thereafter, shall issue a concise statement of the principle reasons for or against adoption, and incorporate therein its reasons for overruling the consideration urged against adoption.

Don Henderson, Acting Director

Date

PROPOSED REGULATION
OF THE
STATE DEPARTMENT OF AGRICULTURE
DIVISION OF MEASUREMENT STANDARDS

NOTICE OF WORKSHOP

A workshop will be held on proposed amendments to NAC 581 and NAC 582, pertaining to pertaining to the general provisions of weights and measures and to public weighmasters.

DATE: November 14, 2003

TIME: 11:00 A.M.

PLACE: Nevada Department of Agriculture
Division of Measurement Standards
2300 McLeod
Las Vegas, NV 89104

For clarification on the proposed amendments contact Steven Grabski at (775) 688-1166.

Addresses at which the text of the proposed regulations may be inspected and copied:

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**NEVADA DEPARTMENT OF AGRICULTURE
SMALL BUSINESS IMPACT DISCLOSURE PROCESS
PURSUANT TO 233B "Nevada Administrative Procedures Act"**

The purpose of this Small Business Impact Form is to provide a framework pursuant to NRS 233B.0608 to determine where a small business impact statement is required for submittal of a proposed regulation before the Nevada Department of Agriculture. If questions one (1) and two (2) are answered No, then a small business impact statement is not required. If question one (1) or two (2) is answered with a YES, then a small business impact statement is required prior to conducting public workshops by the Department. (This form must be submitted with the proposed regulation when submitted for drafting by LCB and adoption by the Nevada State Board of Agriculture.)

Proposed regulation: Temporary amendments to NAC 581 and 582

Part 1

1. Does this proposed regulation impose a direct and significant economic burden upon a small business? No
2. Does this proposed regulation restrict the formation, operation or expansion of a small business? No

Note: Small Business is defined as a "business conducted for profit which employs fewer than 150 full-time or part-time employees" (NRS 233B.0382).

3. If **YES** to either of questions 1& 2, the following action must be taken:
 - a. Was a small business impact statement prepared and was it available at the public workshop?
 - b. Attach the small business impact statement (part 2) as part of this form upon submission for drafting by LCB and adoption by the Nevada Board of Agriculture.

SMALL BUSINESS IMPACT STATEMENT
Small Business Impact Form- Part 2
(NRS 233B.0609)

1. Describe the manner in which comments were solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

2. The estimated economic effect of the proposed regulation on small business:
 - a. Both adverse and beneficial effects
 - b. Both direct and indirect effects

3. The description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses.
 - a. Simplification of the proposed regulation.
 - b. Establishment of different standards of compliance for a small business.
 - c. Modification of fees or other monetary interests that a small business is authorized to pay at a lower fee.

4. The estimated cost to the agency for enforcement of the proposed regulation.

5. If this regulation provides for a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

6. If the proposed regulation includes provisions that duplicate or are more stringent than federal, state or local standards relating to the same activity, provide an explanation of why the proposed regulation is duplicative or more stringent and why it is necessary.